

Acknowledgments


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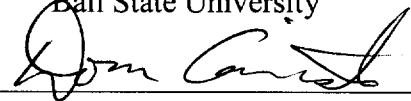
Running head: Following O'Connor and the Chief

Following O'Connor and the Chief:
The Case for Zoning "Sexually Explicit Material" on the Internet via Green Light Areas in
Second Tier Domains

An Honors Thesis (HONRS 499)

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Abstract

The battle to protect minors from sexually explicit material and content that is harmful to them provides new legal obstacles within cyberspace. Within the issue of Internet regulation, Justice Sandra Day O'Connor's *Reno* concurrence provides a legal justification for "adult zoning" on the Internet. Child-friendly, second tier domains, such as .us.kids provide 'adult zoning,' but eliminate the restrictions upon adult freedoms. The following paper provides historical background on the battle to restrict access to sexually explicit material on the Internet, and provides a case why green light areas in second tier domains provide lawmakers and society with a constitutionally sound method of prevention.

Introduction

Civil Libertarians and Internet enthusiasts have asserted that the Internet cannot be contained or zoned. Charles Mann makes the important argument that information and the Internet do not want to be free. Mann, in his September 2001 *Taming the Internet*, dispels the many myths inherent in society about regulation of the Internet. Mann arrives at the conclusion that “having given up any attempt to set the rules, [individuals] are absenting themselves from the inevitable process of creating the system that will control it...An important step toward creating the kind of online future we want is to abandon the persistent myth that information wants to be free” (51). Mann believes Internet regulation is inevitable and makes a very persuasive case that we should dispel the current myths about Internet anarchy and become a part of the process. Mann’s conclusion is entirely timely with Internet regulation policy being shaped everyday in our state legislatures, Congress, and on all levels of the court system. Americans value their First Amendment protections, especially those of speech and expression. As an overall broad statement, all Americans support the right to freedom of speech; however, as situations become more specific and narrow as to what items should be protected, individuals provide a litany of complex and different responses. One of the most complex areas of disagreement is the protection of expression that has been deemed “sexually explicit material.” Even civil libertarians must parent their children. For most, displaying sexually explicit materials to their children through the Internet is a tremendous dilemma. As a society, adults are both infatuated and disgusted by the very nature of sexuality. Sexuality is pervasive in our daily lives, especially in the media. On the whole, a majority of Americans are not likely to support the unrestricted expression of sexually explicit materials. They base the opinion on a variety of different circumstances and complex values. The battle becomes even more complicated with

the technological advances made possible by the Internet. The usual precautions that can be taken to identify minors in the physical realm of the real world become obsolete with the use of a computer connected to the World Wide Web. Suddenly a new dimension of access becomes an issue for parents and educators. Zoning the Internet is not a simple matter. The decisions involve line drawing that the Supreme Court must take into account. Who decides who will see what? What could be an easy line to draw in the physical world of human beings takes on new dimensions in the media industries of telephone service, cable, and computer technologies. Supreme Court Justice David Souter, in his concurring opinion in *Denver Area Educ. Telecomm. Consortium, INC v. Federal Communications Commission*, 518 US 727 (1996), eloquently summarizes the blurring of the line in freedom of expression for the media and technology cases.

“As cable and telephone companies begin their competition for control over a single wire that will carry both their services, we can hardly settle rules for review of regulation on the assumption that cable will remain a separable and useful category of First Amendment scrutiny. And as broadcast, cable, and the cybertechnology of the Internet and the World Wide Web approach the day of using a common receiver, we can hardly assume that standards for judging the regulation of one of them will not have immense, but now unknown and unknowable effects on the others” (*Denver Area Educ. Telecom. Consortium, Inc. v. FCC*, 518 U.S. 727, 740 (1996)).

Souter has pinpointed the immense gravity that Internet media cases have on all other forms of media. The stakes are high when the Supreme Court must adjudicate areas related to Internet regulation. It makes the question of Internet regulation and zoning that much more important to the entire media industry. As the Internet becomes an even more pervasive form of media in Americans' lives, similar to the pervasiveness that television has taken on this century, Congress and society as a whole must wrestle with whether to control access to a vital, but sometimes inappropriate form of information communication.

The United States Congress has the ultimate authority to make national laws and has taken up the issue of Internet regulation. More recently, in the late 1990s and the early parts of the new millennium, the ultimate challenge has been to provide an effective remedy in the government interest to protect America's youth from material that may be "harmful to minors" without abridging on the First Amendment rights of adult citizens. "In *Reno v. ACLU*, 521 US 844, the Court reiterated its prior definitive holdings that protecting children from exposure to obscene and harmful material is a matter of 'compelling' and 'surpassing' state interest" (Taylor, Flores, and Clancy, 1997). The National Law Center for Children and Families (NLC) observes a very important finding. The Supreme Court did hold that protecting children from materials deemed harmful to minors was a compelling state interest. From this, we can establish that Congress does have a compelling interest in regulating materials deemed harmful to minors on the Internet. When put into historical context, *Reno* is simply reaffirming the long-standing opinion of the Court.

"In *Ginsberg v. New York*, *supra*, a majority of the Court adopted the legal position that societal availability of pornography erodes public standards of morality and this, in turn, affects all members of the community and in particular our children" (Taylor, Flores, and Clancy, 1997).

The Supreme Court has clearly shown that regulation of pornography or other "sexually explicit material," i.e. softcore pornography and/or other depiction of graphic sexual activity, should be regulated. The question is always who should regulate. In terms of speech and the Internet, it seems logical that Congress should undertake the issue, as opposed to the state and local governments. In 1999, The Tenth Circuit Court invalidated a New Mexico Internet regulatory law based on its basic violation of the First Amendment (*ACLU v. Johnson*, 194, F. 3d 1149, 1155 (1999)). The court further supplemented its argument by explaining the Internet regulatory law also violated the Commerce Clause because "it regulated conduct occurring wholly outside

of the state of New Mexico, it constituted an unreasonable and undue burden on interstate and foreign commerce, and it subjected interstate use of the Internet to inconsistent state regulation” (LaMaina, 2001). Jennifer LaMaina is quick to point out the significance of the case. She explains, “Johnson... gives the states very little hope of ever validly restricting materials on the Internet” (LaMaina, 2001, 12). She makes an excellent observation. *Johnson* provides an excellent justification why the National government, specifically the United States Congress, maintains jurisdictions over regulation of the Internet within the states. Internet regulation is a global issue, but it can be a state and local problem that can be solved by uniform national policy with the right constraints.

Congress has tried its hand at Internet regulations several times. The first attempt, the Communications Decency Act (CDA), a part of the larger deregulation package known as the Telecommunications Act of 1996, served as a lesson to legislatures in overbroad regulation. In *ACLU v. Reno* (521 US 844), the Supreme Court struck down the CDA for being vague and overbroad. Within the opinion, the majority refused to grant the state’s argument to invalidate just the parts that significantly violated the First Amendment and leave the law partially intact. Justice Stevens delivered a landmark decision that extended significant First Amendment constitutional protections, similar to those coveted by print news press, to the Internet. *Reno* greatly constricted the government’s ability to regulate the Internet. The decision to advance print press rights to the Internet meant that any law that would come before a court about regulation of the Internet would be given strict scrutiny. Until very recently, *Reno* was the sole Internet regulation case decided by the US Supreme Court, which further enhances its significance. Two other major court challenges are now being made against national Internet regulation laws being enacted by Congress, including the Child Online Protection Act of 1998

(COPA) and the Child Internet Protection Act of 2000 (CHIPA or CIPA). The US Supreme Court has heard oral arguments in COPA case and is set to adjudicate in the early summer of 2002. CHIPA will undoubtedly move to the US Supreme Court on appeal regardless of the outcome in the lower courts due to the nature of the issue being decided. With public opinion and Congress seemingly at odds with the US Supreme Court, this paper takes up the issue of Internet regulation and particularly Internet zoning. Jennifer LaMaina (2001) recently weighed in her opinion after the decision in *Johnson* by the Tenth Circuit "... As we enter an era of burgeoning reliance on Internet communications, the need for such effective legislation will only increase. The *Johnson* decision resolves that this necessary legislation must come from the national government and must be narrowly tailored to effectuate its goal of protecting minors from explicit materials on this singular medium" (13). LaMaina fairly assess the need for the national government to resolve the issue of sexually explicit material on the Internet. Through great scrutiny, we find the resolution of this question in *Reno* in the dissenting opinion of Justice Sandra Day O'Connor, joined in part by the Chief Justice William Renquist. O'Connor explains "I write separately to explain why I view the Communications Decency Act of 1996 (CDA) as little more than an attempt by Congress to create 'adult zones' on the Internet. Our precedent indicates that the creation of such zones can be constitutionally sound" (*Reno v. ACLU*, 521 US 844). O'Connor, in her own typical style, finds and elaborates the narrowest tailored solution to the dispute at hand. She provides a guide to our discussion at hand, creation of adult zones, or more specifically green light, child-safe zones, on the Internet.

My purposes are to examine current issues raised in Internet zoning for sexually explicit material and provide a framework solution effectively applying physical zoning laws to cyberspace. Others have clearly demonstrated the need to examine Internet regulation solutions

and the Supreme Court has clearly demonstrated the state compelling interest for solving this dilemma. This paper chooses to examine a selection of evaluated solutions, most of which have been thoroughly tested by the COPA Commission and Lawrence Lessig, from Harvard Law School and his co-researcher, Paul Resnick from the University of Michigan's School of Information. With current solutions under review, it is crucial to provide a solution that can and will pass constitutional muster should it be challenged. I argue that one solution, child-safe zones on second tier domains, is the least constitutionally restrictive form of regulation available. The solution also provides workable, testable, and expandable alternatives that the other Internet regulation tools and solutions simply lack. The first section will provide insight into public opinion and media, specifically shedding light on Americans' opinion on government regulation of the Internet. Next, I provide background on the issue on regulation of sexually explicit material on the Internet, providing insight into precedent and the current state of sexually explicit material on the Internet. The third section will provide an assessment of current alternative solutions posed to regulate the sexually explicit material on the Internet. The fourth section will provide reasoning why adult zoning is the least burdensome as well as a justification with court precedent for regulation of the Internet through zoning. The underlying goal is to establish a working regulatory system that both protects children and protects the adult constitutionally protected right to view materials deemed harmful to minors.

The first step in our discussion is to provide some definitions of the terms.

Definitions

This paper adopts the definitions set down by the National Law Center for Children and Families (NLC) in 1997. They define three terms important to our discussion, child pornography, obscenity (adult), and "material harmful to minors." NLC defines child

pornography as “unprotected visual depiction of a minor child (federal age is under 18) engaged in actual or simulated sexual conduct, including lewd or lascivious exhibition of the genitals”(Taylor, Flores and Clancy, 1997). Taylor, Flores, and Clancy develop this definition from *New York v. Ferber*, 458 U.S. 747 (1982). Additionally, Taylor, Flores, and Clancy provide the Supreme Court’s *Miller* Test as the definition for obscenity from *Miller v. California*, 413 U.S. 915, at 24-25 (1973). According to Taylor, Flores, and Clancy, The *Miller* test holds that obscenity is defined by:

- (1) whether the average person, applying contemporary adult community standards, would find that the material, taken as a whole, appeals to a prurient interest in sex (i.e., an erotic, lascivious, abnormal, unhealthy, degrading, shameful, or morbid interest in nudity, sex, or excretion); and
- (2) whether the average person, applying contemporary adult community standards, would find that the work depicts or describes, in a patently offensive way, sexual conduct (i.e., ultimate sex acts, normal or perverted, actual or simulated; masturbation; excretory functions; lewd exhibition of the genitals, or sadomasochistic sexual abuse); and
- (3) whether a reasonable person would find that the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

In addition, Taylor and his associates (1997) use the Ginsberg case, *Ginsberg v. New York*, 390 U.S. 629 (1968), to further define “material harmful to minors.” “Known as “variable obscenity” or the *Millerized Ginsberg* Test... It is illegal to sell, exhibit, or display harmful (soft-core) pornography to minor children, even if the material is not obscene or illegal for adults. Harmful to minors means any written, visual, or audio matter of any kind that:

- (1) the average person, applying contemporary community standards, would find, taken as a whole and with respect to minors, appeals to the prurient interest in nudity, sex, or excretion, and
- (2) the average person, applying contemporary community standards, would find depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, ultimate sex acts, normal

or perverted, actual or simulated, sado-masochistic sexual acts or abuse, or lewd exhibitions of the genitals, public area, buttocks, or post-pubertal female breast, and

- (3) a reasonable person would find, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.

For the use of my paper, it is important to understand that the term “sexually explicit material,” (i.e. ultimate sex acts, etc) are synonymous with content that is harmful to minors. Under the guise of the Child Online Protection Act, Congress has clearly delineated that sexually explicit material would not include sexual education or prevention material that, while sexual in nature, would be valuable to minors. I define sexually explicit material to include lewd depictions of sexual acts, in display or literary form that have been deemed “harmful to minors.” In other words, sexually explicit material should be equated with pornography (i.e. graphic displays or literary depiction of ultimate sexual acts) and not sexual education and awareness materials. This distinction is key in our discussion. Key to our understanding is the idea that variable obscenity, usually termed indecency or harmful to minors is what is at dispute. Obscenity clearly should not be shown to children. This paper favors regulation of variable obscenity, material harmful to minors, from children.

Public Opinion and the Internet

Americans are interested in government taking an active role in regulating the Internet, specifically in the area of content that is “harmful to minors.” Blendon and Benson et al (2001) explain Americans’ objections.

“Three quarters of Americans say the government should “do something” about the possibility of dangerous strangers making contact with children and about the availability both of pornography to children and of information on how to build explosives. A majority also say the government should do

something about false advertising (62 percent), the availability of guns (61 percent), pornography (61 percent), the loss of privacy (54 percent), and hate speech (53 percent)”(Blendon and Benson et al, 46).

From their research, Blendon and Benson have identified a clear majority of Americans that would like Congress to make a concerted effort to regulate the Internet. Blendon and Benson’s findings are consistent with other leading public opinion data. Yalof and Dautrich (2001) conducted specific survey research on American public opinion and attitudes on sexually explicit material in different forms of media (87). Particularly of interest, Yalof and Dautrich found that “only about three in ten Americans extend the right of transmitting sexually explicit material via the Internet” (88). In their findings, they reported that in 1999 just “slightly less than half of American households reported having access to the Internet. During that same period, more than three quarters of those between the ages of twelve and nineteen reported having access to the Internet” (Yalof and Dautrich, 2001, 88). The two researchers come to the logical conclusion that adult Americans worry more about sexually explicit material on the Internet because a primary audience for the medium is children. It is readily apparent that public support lies in some form of regulation of the Internet. Yalof and Dautrich are quick to point out that public support for regulation is not random or without great thought.

“With regard to media that allow for broad and open access, as well as provide opportunity for passive exposure, the public is less inclined to support press rights when the material presented is deemed inappropriate. However for media that provide a greater control of access and that require actively seeking out the material, the public is much more willing to extend the rights of press, even for material that may be less socially acceptable” (Yalof and Dautrich, 2001, 90).

Americans can clearly differentiate what is acceptable and what is not. They seem very willing to engage in line drawing and differentiation of different media content in the context of the media access. Surprisingly, the public perception of Internet seems to differ from the Supreme Court’s summation of the new media technology.

Background: The Congress, the courts, and the children

Starting in the late 1990s, the court system really began to address issues related to the Internet and freedom of expression. Due to the wide spread of the phenomenon of the World Wide Web, the significance of the Internet has drawn a great deal of attention as it becomes more pervasive in our day-to-day lives. Many of the court battles have taken place on the district and US Appeals court level. The US Supreme Court has weighed in very infrequently in the new medium of the Internet, at least in relation to the transmission of sexually explicit material and the “harmful to minors” standard created by the Child Online Protection Act. Since 1997, crucial legal precedent has been set in this area, starting with the Communications Decency Act (CDA) case before the Supreme Court, *Reno v. American Civil Liberties Union* (521 US 844, 117). The Court did rule in April 2002 in *Ashcroft v. Free Speech Coalition*, 00-795, that Congress had taken child pornography law too far in banning images the depicted the likeness, or facsimile, of children in grouping such material as child pornography. Basically, the court struck down the prosecution of a certain type of speech. Further challenges to the Child Online Protection Act (COPA) and the Children’s Internet Protection Act (CHIPA) were under pending court scrutiny. Ultimately, these additional cases will provide groundwork for Congress on what regulation, if any, is acceptable. *Reno v. ACLU* provided significant insight into the court’s opinion of the Internet and the First Amendment; however, the ruling came at a time of tremendous growth and attention for the Internet. The medium itself was still incredibly new for many American households. *Reno v. ACLU* was a landmark decision because it granted unprecedented First Amendment privileges, those on par with the privileges extended to newspapers and print media, to the area of the World Wide Web. Justice Stevens, who delivered the opinion of the court, in 1997, likened the Internet to a vast library to which anyone

can belong. The Justices were enamored with the ability of anyone to be able to publish in this vast marketplace of ideas. The justices characterized the circa 1997 ability to access the Internet, which has transformed since the Court's early decision.

"Once a provider posts its content on the Internet, it cannot prevent that content from entering any community. (Some) of the communication over the Internet originate from foreign countries are sexually explicit. (The) odds are slim that a user would enter a sexually explicit site by accident. Unlike communications received by radio or television, 'the receipt of information on the Internet requires a series of affirmative steps more deliberative and directed than merely turning a dial. A child requires some sophistication and some ability to read to retrieve and thereby to use the Internet unattended'" (Sullivan and Gunther, 1999).

While this might have been an accurate characterization in 1997 based on the knowledge and exposure to the Internet of the Justices, it no longer holds true in the current state of the Internet. As previously discussed, children between the ages of twelve and nineteen have significant access to the Internet. Although the statistics do not indicate whether a parent attended this access, it seems hard to believe that parental supervision is a major part of children's use of the Internet. It is important to also note that sexually explicit material is much easier to access. Pornography and other obscene material can be masqueraded as other web sites without penalty. The most famous example of a web site masquerading as another prominent one is www.whitehouse.com. What many Internet surfers have mistakenly done is access a porn site, when they were truly searching for www.whitehouse.gov. Beginning web users, especially minors, would unknowingly stumble onto inappropriate "harmful to minor" content if they were simply doing research on the White House. Cyveillance Study, released in March 1999, finds that "Pornographers disguise their sites (i.e. "stealth" sites) with common brand names, including Disney, Barbie, ESPN, etc., to entrap children" (www.protectkids.com). In 2000, Envisional found that "26 popular children's characters, such as Pokemon, My Little Pony and Action Man,

revealed thousands of links to porn sites. Thirty percent (30%) of these links were hard-core” sites(www.protectkids.com). Americans are concerned about children accessing sexually explicit materials and it is not hard to assume that very few parents have time to actively supervise their children’s time Internet surfing at every moment. An Internet novice can bare witness to the fact that the Internet is now a pervasive medium in which individuals do not have to actively seek out sexually explicit materials, or similarly suggestive material, to be regularly exposed to the content. The London School of Economics explains, “Nine out of 10 children aged between eight and 16 have viewed pornography on the Internet. In most cases, the sex sites were accessed unintentionally when a child, often in the process of doing homework, used a seemingly innocent sounding word to search for information or pictures” (www.protectkids.com). Children are easily accessing materials due to the amount of sites and site content being masked as child-safe. In its recent coverage of the CHIPA case, *Yahoo! News* reported that CHIPA would require libraries to activate computer filters to protect children under the age of 17 from accessing material harmful to minors, including *over* 100,000 sites with child sexually explicit material (Morgan, 2002). Over 100,000 sites are already recorded as sexually explicit content deemed obscene in a medium that consistently grows at a rapid rate. In addition to the over 100,000 sites of child pornography, US News reported recording over 40,000 sites of legal pornography in their search. “There are now at least 40,000 porn sites on the World Wide Web and probably thousands more. No one has been able to count them all” (www.protectkids.com). US News provided that search in March 2000, over two years ago. Clearly there are even more sites, since the number was increasing then. With over 140,000 sexually explicit sites, one need not be looking terribly hard to run across a website with some sexually explicit content. Regulation of the Internet could potentially limit such exposure.

As previously discussed, the Supreme Court has heard oral arguments in *ACLU v. Ashcroft* (___ US___ (2002)). The question before the Court is whether or not “Contemporary Community Standards” originally set down in *Miller v. California* (413 US 15, 93) are applicable to non-obscene material on the Internet. COPA, which makes it unlawful to knowingly transmit content that is “harmful to minors,” is specifically written to adhere to the Miller obscenity test. The law actually punishes violators with up to a \$50,000 fine or up to six months in jail. Kessler and Harris (2001) explain,

“The Supreme Court heard arguments only on the question of whether the United States Court of Appeals for the Third Circuit was correct in finding that there is no way to constitutionally judge what is harmful to minors by ‘community standards’ on the Internet”(ITEC Update Online, November 29, 2001).

The debate raises some very core issues in relation to the First Amendment and protecting children. Kessler and Harris test the pulse of the Court and give some insight into how the case may be resolved.

“The Court seemed troubled by the idea that there was no action the government could take to protect children from exposure to pornography on the Internet, but almost as troubled by the idea that the most conservative community would have the power to set the standard for what is “harmful to minors” on the Internet” (ITEC Update Online, November 29, 2001).

Where CDA was overbroad and vague, COPA has been narrowly crafted by lawmakers to fit the obscenity test of Miller. A more pressing question that is not explicitly verbalized would be “does COPA represent the least restrictive Government intrusion?” One can safely say that COPA is not the least restrictive. In answering the question of community standards, the Court will most certainly address three key areas identified by Yalof and Dautrich (2001) that courts have used in adjudicating media cases. In previous media cases, courts have based their decisions on “access to the medium, invasiveness

(the extent to which any individual may be passively exposed to the material as contrasted with the need to actively acquire the material), and the impact that regulation of media forms may have on the overall free exchange of ideas”(Yalof and Dautrich 84-85). We can easily apply these criteria to the *Reno* decision. The majority of the Court clearly presented the idea that CDA was an undue burden on access. Stevens also explains that the Internet is not invasive, as previously discussed. He believed that minors could not passively be exposed to “harmful to minors” content. Finally, the Court opinion makes sweeping generalizations about the impact that regulation now could have on the growth of the Internet. It is apparent that these three criteria were applied to the *Reno* decision. The decision in *ACLU v. Ashcroft*, the COPA case, is much more difficult. The questions about invasiveness and access, I believe have changed, as noted previously with the expansion of minors 13-19 having access to the Internet in 1999. The question posed in the case brings to the forefront the application of the “harmful to minors” standard. Although the Court has narrowly confined the oral arguments in the case to the question of whether the Appeals court was wrong in finding that “contemporary community standards” could not be applied to the Internet, the ACLU has inadvertently opened up a much broader issue of whether the Miller test of obscenity and the “harmful to minors” standard can be upheld in the Internet. While the CHIPA case, pairing the ACLU and the American Library Association (ALA) against the government on the issue of compelling libraries to provide filtering technology presents an interesting constitutional question, and is important to Internet regulation, nothing goes as far as COPA, or even the US.KIDS legislation proposed by the United State House of Representative. CHIPA makes e-rates for schools and public libraries contingent upon

installing filtering software, while COPA and US.KIDS clearly provide the courts with an opportunity to address the issue of “harmful to minors” on the Internet. Bruce Taylor (2001), President and chief counsel of the National Law Center for Children and Families, explains the significance of COPA.

“It is interesting to note that COPA separately incorporates both the adult ‘Miller’ test for what is ‘obscene,’ from *Miller v. California*, 413 U.S. 15 at 24-25 (1973), *Smith v. United States*, 431 U.S. 291, at 300-02, 309 (1977), and *Pope v. Illinois*, 481 U.S. 497, at 500-01 (1987), as well as the traditional ‘Millerized-Ginsberg’ test of ‘harmful to minors’ first approved thirty years ago in *Ginsberg v. New York*, 390 U.S. 629 (1968). The Act is thus applicable to both hard-core pornography that is obscene and soft-core pornography that is “harmful to minors” even if not obscene for adults” (Taylor, 2001, online 1).

In his analysis, Taylor has highlighted two very important parts of COPA. First, COPA provides the most narrowly tailored law by Congress, in an effort to follow constitutional tests laid down previously by the Court. They followed and specifically defined their law in terms of Supreme Court case law. The second, and more crucial part that Taylor uncovers is that COPA provides over breadth that extends undue burden on to the constitutional rights of adults in order to protect minors. COPA could clearly be struck down because it burdens adult speech and the ability of other adults to access that material for the protection of minors. Unfortunately, as closely tailored as this law is in following Supreme Court and lower court precedent, the law is invalid when it violates the rights of adults to access constitutionally protected sexually explicit, but not obscene material. This is the same issue that would ultimately call into question the CDA. Despite the stark difference in the construction of the CDA and COPA, it is likely COPA will suffer the same demise that its predecessor faced in 1997.

The Alternatives to CDA, COPA, and CHIPA

Despite the overwhelming support in Congress for all three laws, the courts have taken issue with the constitutionality of all three. Each places undue burden on adult speech with the purpose of restricting certain content from minors. Two noteworthy sources, the COPA Commission and separate study by Lawrence Lessig, professor of Law at Harvard School, and Paul Resnick, professor of Information Technology at the University of Michigan, have proposed several alternatives to the laws being challenged in the courts.

A. The COPA Commission

The COPA Commission was a by-product of the enacted Child Online Protection Act of 1998. While the courts placed an injunction against the COPA law from being enforced, the COPA Commission was not required to yield in their study of possible solutions to regulation of the Internet. As the COPA Commission Online Executive Summary states “Congress directed the Commission to evaluate the accessibility, cost effectiveness of protective technologies and methods, as well as their possible effects on privacy, First Amendment values, and law enforcement. This report responds to the Congressional request” (COPA Commission On-line Report at www.copacommission.org, visited 3/14/02). The COPA Commission study provides information on major sources of how to protect children from content “harmful to minors” on the Internet, including parental education, filtering/blocking, labeling and ratings, age verification systems, new top level domain/zoning, and other technology methods. The study was a large proponent for parental education because it was the least restrictive. In a utopian world, all parents would follow use all of these devices, or combination thereof, to protect their children from the Internet; however, it seems improbable that parents will fully monitor their

children's Internet access. The filtering/blocking law is what is currently being challenged in CHIPA. Congress has mandated public libraries install content filters on computers, threatening to forfeit computer/technology money from the government for improvements for libraries that refuse to follow CHIPA. This type of filtering/blocking law is being challenged because it puts undue burden on adult speech because the filters block out content "harmful to minors" without allowing adults access to this constitutionally protected speech. Labeling/rating content on the Internet provides that widespread adoption of the labels could occur. Similar to the Motion Picture Association of America's voluntary motion picture rating system, content would be voluntarily rated and then distributed. This assigns the burden of regulation of content to the speaker or publisher. It is less effective for controversial speech and there are few ways to enforce the ratings/labels. Age verification systems are ways to block access to content, allowing access only to those who provide a credit card number, so that the publisher can identify that the individual is "of age" to view the material. This system is incredibly costly for Internet listeners, who will now have to identify themselves to receive information. It violates the ability of individuals to receive information anonymously, or at least places unnecessary burdens on access to protected speech. Another solution provided is a Top Level Internet Domain (TLD). A TLD, for example .kids, would provide a green-light zone for children to access. One could also create a .xxx or .adult, similar to current .com or .org domains, where adult content could be zoned into a certain area of the Internet domains, and thus could be easily filtered for minors. I believe labeling and confining sexually explicit, but not obscene speech to an .xxx or .adult domain would suggest prior restraint of the content. It places undue burden on the speaker's protected speech. TLDs

like .kids provide global regulation concerns of who would decide what content would be placed in the children's domain area. Although as plausible as adult bookstores within constitutional scrutiny, the United States is not the only party involved in the regulation decision-making of TLDs because of their worldwide constituencies. Other countries may provide unconstitutional restrictions in the negotiation of the regulation. These additional restraints on TLDs would present issues of constitutional scrutiny on adult access. Ultimately, then, none of these solutions pass constitutional scrutiny or are implementable except the parental education. Each places a proactive restraint upon speech that adults should clearly have access to.

B. Lawrence Lessig and Paul Resnick

Lessig and Resnick (1999) propose four key solutions. The two researchers identify the creation of an IP Map, automated pre-clearance technology, a thesaurus of the different categories of different jurisdictions, and digital certificates, or credentialling solution, as four possible ways to effectively zone the Internet. An IP Map would basically provide individuals with a phone book of where everyone is on the Internet. One could look up who they are sending information to based on the IP address, "a numeric identifier that each computer on the Internet is assigned," in order to verify that sending material was appropriate. This remedy seems constitutionally suspect because it requires the speaker and the listener to register in order to participate in the dialogue and violates the principle of the anonymous publisher. Additionally, Lessig and Resnick propose preclearance technology that would have the speaker clear the material with the government before being published. Such a system, if voluntary, would be easier for listeners to know what they are listening to, but it almost provides prior restraint that

could be applied to constitutionally protected speech. Voluntarily, it is not constitutionally suspect, but if made mandatory, the government would be serving as an editor for all speech. Such a system would violate the Constitution. Another solution, to avoid confusion, would be to publish acceptable categories of the different jurisdictions, so that individuals posting information would know what was acceptable and legal in the area they could be sending to. This system could almost be analogous with seeking a permit to protest in the physical world. Certain jurisdictions would provide their categories and speakers would have to tailor their message to fit into the categories of acceptability. Lessig and Resnick use child pornography to clarify. The child porn may be illegal in one jurisdiction, but not another. The thesaurus would let the publisher/speaker know where it was appropriate and not appropriate to post in different jurisdictions. The thesaurus system puts large restrictions on the ability of individuals to post and allows the Internet to be sectioned off more divided than the physical world because you could separate jurisdictions endlessly. A speaker would not be able to follow all the changes in order to publish for fear a new jurisdiction might change the rules. The last method, digital certificates, is basically equivalent to showing your driver's license at a bar. It is a way to clearly identify who is being sent to on the Internet. Lessig and Resnick further elaborate, "In the case of 'harmful to minors' speech, the credential would be an adult ID indicating that the recipient is over eighteen" (Lessig and Resnick, 407). Lessig and Resnick explain that such a system would be less costly than everyone on the Internet trying to provide a credit card would. Courts would argue that identification to access such materials could be considered a chilling effect because one must identify himself to gain access to the material, like having to show give

your name to purchase elicited material. Lessig and Resnick counter, “the cost of certificates should be less than the cost of a card, and the possibilities for anonymity should be greater” (Lessig and Resnick, 407). Digital certificates, already a volunteer practice on some web sites containing sexually explicit material is the least burdensome of all the proposed ideas. The credentialing solution still puts the burden upon the adult, even an adult without children, thus causing greater burden than is necessary.

The Solution: Take the Adults out of the Equation

The major solutions provided by the COPA Commission and the solutions provided by Lessig and Resnick each provide a barrier or burden for adults to bear in order to protect children from content “harmful to minors.” The Court’s major complaint has consistently been that content regulation bills aimed at reduction of exposure to content “harmful to minors” has placed a great burden on adults’ First Amendment rights. The courts have struck down rules, which prevent adults from exercising their full freedom because of children. *Butler v. Michigan*, 352 US 380 (1957) is the specific Supreme Court case cited for establishing that children zoning law could not interfere with adults’ first amendment right to access material harmful to minors. It would then follow that the most likely way to pass successful legislation aimed at effectively zoning the Internet would take adults and their freedoms out of the equation. In 2002, legislation in the US House of Representatives proposed something similar. Legislation would create “.us.kids” Internet second tier domain and would provide a child-safe Internet zone, instead of zoning out adult rated content. The basic point behind this would be adults would not have to take affirmative steps to view sexually explicit materials on the Internet if they knew children had a separate safe zone. A Top Level Domain (TLD) of .kids provides some issues with global enforcement, so Congress struck a compromise, .us.kids (McGuire, 2001). Through the creation

of such a domain, the Internet service provider could regulate content that was placed in this so-called “green-light” zone. Under US House resolution cited as the “Dot Kids Implementation and Efficiency Act of 2002, Congress, through the National Telecommunications and Information Administration (NTIA) would create and monitor a “child-friendly second-level Internet domain.” The domain would be run through a contracted Internet service provider, in this case, NeuStar, who would actually provide the regulation of site content. NeuStar would be held accountable through a contract renewal process, seemingly a one-year extension each time they report to Congress. Each year, NeuStar, or the access registrar, would be evaluated by the Comptroller General of the United States. A compliance report would be drafted summarizing the content of the domain. This report would be submitted to the United States House Committee on Energy and Commerce and the Committee on Energy, Commerce, Science, and Transportation in the United States Senate. The NTIA would additionally put forth a major public relations campaign to publicize the new domain. Under the resolution, the site would permit content for minors, which is defined as under the age of 13. Although this is the best proposal offered by Congress, there are areas for improvement, including the way it is marketed, addition of incentives for individuals and companies to participate in .us.kids, and the inclusion of children up to age 16 and appropriate content in the definition of minors. Finally, once Congress has promoted and well-established the domain, it serves societal interest to use the .us.kids domain instead of filters in public libraries and schools as a means of regulating sexually explicit material.

The most important change I would make in the “Dot Kids Implementation and Efficiency Act of 2002,” would be that children up to the age of 16 should be included in the required definition of minors. A 17-year-old presents a problem for both congressional

regulation and court adjudication. An 18-year-old is clearly protected as an adult. Thus, I would move the definition of minors up to 16 years of age include individuals, children, that should clearly be included as minors. A reasonable assessment of the resolution could conclude with the assumption of a PG-13 type of domain being created through this legislation. Congress should think beyond the current realm of laws, such as television and MPAA motion picture regulation to a more appropriate Internet regulation scheme. Adolescents, those minors above 13 but below 17 or 18 need as much protection from material harmful to minors as 12-year-old children. A second issue with .us.kids legislation as proposed in the "Dot Kids" legislation is the issue of providing incentives for companies and individuals to purchase or participate in the domain. It should follow that the government's compelling interest in protecting children would also be forwarded by promoting the new domain with price breaks, tax incentives, or providing the domain for free. The purpose would be to increase participation dramatically and establish the domain as important in the Internet infrastructure. If companies and individuals understand the importance of the new .us.kids domain, and the constituency it serves, they will be more likely to participate. One final issue to resolve would be using .us.kids domain in public libraries and schools in place of the current requirement of installing filters in the CHIPA legislation. To address the question of who should make content-based restriction decisions, it seems preferable to have a human being in the form of an Internet Service Provider making the important decisions as opposed to automated machine. Where filters must search content based on sequential lettering, a human being can distinguish between content that is sexually explicit material that is harmful to minors and content that is sexual education and awareness material. This distinction is important, and the current system of regulation by Congress does not account for the problem. If we wish to engage in content line drawing, one can only agree with the

assertion that humans rather than computers are well equipped to deal with matter of shades of gray. Humans possess the power to differentiate and can make value decisions on the definition of “harmful to minors.”

The .us.kids domain, even with my revisions, would pass the ever-important strict scrutiny placed upon it by the US Supreme Court should it be challenged constitutionally. It is important to understand that such a domain clearly operates within the zoning and “harmful to minors” variable obscenity tests established by this nation’s highest court. Most importantly, the .us.kids closely follows the *Millerized Ginsberg* test and is well-crafted by legislatures to fit such a definition of harmful to minors. Notably, it does not restrict access of adults to material that may be harmful to minors, as in such precedents as *Ginsberg* and *Butler*. Once again, Justice O’Connor, in her *Reno* concurrence provides Court insight, “In *Ginsberg*, the New York law we sustained prohibited the sale to minors of magazines that were ‘harmful to minors’...the Court concluded that the law did not ‘invade the area of freedom of expression constitutionally secured to minors.” (*Reno v. ACLU*, 521 US 844 (1996)). O’Connor has clearly elaborated that the Court does not believe that minors have a right to content that is judged to be obscene to minors. She actually continues this line of argument in explaining that CDA ban on patently offensive material, which could include some material of socially redeemable value, is constitutional. The .us.kids legislation, even with my own amendments, would clearly be less restrictive on speech than O’Connor’s decision to leave CDA partially intact. She captures the clear scope of *Ginsberg* by noting its rejection of minors’ right to material that is harmful to them. In addition to O’Connor’s *Reno* arguments, the .us.kids domain is consistent with findings in *FCC v. Pacifica* (438 US 726 (1978)), “which provided variable “indecentcy” standard for proper government regulation of broadcasting to protect minor children and unconsenting adults from

exposure to patently offensive sex or nudity) (Taylor, Flores and Clancy, 1997). In fact, *FCC v. Pacifica*, 438 U.S. 726 (1978), where a child accidentally came in contact with George Carlin's *Seven Dirty Words* routine is very apropos in this case. We are presented with the case on the Internet where children are inadvertently accessing sexually explicit material. Additionally, we have established it is harmful to them. The .us.kids domain would present indecency standard for proper government regulation of broadcasting to protect minors over the Internet. It would modernize the *Pacifica* indecency standard to fit the Internet medium. Similarly, in *Sable Communications v. FCC*, 492 US 115, the Court found that "an indecent Dial-A-Porn can be regulated by credit cards, access codes, or subscription so as to avoid access by minors" (Taylor, Flores, Clancy, 1997). More fool proof than access codes or subscriptions, green light zones are consistent with keeping minors away from the harmful content provided similarly on the Internet as through Dial-A-Porn. The Court has demonstrated that minors, especially in student settings, have fewer First Amendment rights than adults. From the decisions in *Tinker v. Des Moines*, 393 US 503, *Board of Education v. Pico*, 457 US 853, *Bethel School District v. Fraser*, 478 US 675, and *Hazelwood v. Kuhlmeier*, 484 US 260, the Court has apportioned fewer rights to minors under adult supervision in school settings. Based upon the rights of expression afforded to minors in these cases, I think we can generalize that the Court is willing to allow minors access to less material on the guise of their First Amendment right. Clearly *Ginsberg*, in conjunction with similar media and school rights cases, builds a logical case that denying minors access to sexually explicit material without social redeemable value is constitutionally sound. The green light areas on child-friendly second tier domains, proposed by Congress, and amended by myself, fall within the limits set by *Miller*, *Ginsberg*, *Pacifica*, and *Sable* and is consistent with decisions regarding minors' school expression cases before the Court.

Conclusion

The Internet is a beneficial new medium that has created endlessly new opportunities for American self-expression. With the ease of publication, any person can become a part of this vast new library of ideas. With such freedom comes material that may be harmful to minors, including sexually explicit material without social redeemable value. Congress has the power to duly regulate, as with other similar media, material that is harmful to minors. Justice O'Connor contributes a strong foundation for arguing Internet zoning of sexually explicit material with harmful to minor content is permissible under *Ginsberg*. After reviewing the possible alternatives to our current regulation, COPA, it is clear the least restrictive on adult freedoms is the child-friendly, second tier domains, specifically .us.kids. Critics of this solution would propose it does not go far enough in protection of minors. The solution depends heavily upon a volunteer inclusion scheme. This is where my additions to current legislation introduced in the House of Representatives would be tougher at addressing the problem. The second tier domain is the only demonstrated solution that avoids the problem of invasion of adult rights that is technologically feasible at this time. Congressional lawmakers should take note and strengthen current legislation to provide protection to minors under the age of 16. With the continuing improvements in technology, it may be feasible to provide a more protective solution to minors that will go further than green light zones. For now, it is important for lawmakers and American society to advocate for the creation of child-friendly, second-tier domains to assist in the protection of minors from sexually explicit material on the Internet.

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Appendices

Appendix A – Honors College Thesis/Creative Project Proposal

Appendix B – Notification of Presentation of Thesis/Creative Project at the Indiana Political Science Association Conference

Appendix A

Honors College Thesis/Creative Project Proposal

SENIOR HONORS THESIS / *creative project*

**Life on the Road:
Four Truckers' Stories**



everything you need
to know about

HONRS 499



THIS GUIDE IS INTENDED TO BENEFIT STUDENTS ENROLLED IN HONRS 499 AND ALSO THEIR ADVISORS. ALTHOUGH SOME SECTIONS ARE ADDRESSED PRIMARILY TO STUDENTS AND OTHERS TO ADVISORS, WE SUGGEST THAT BOTH GROUPS READ ALL SECTIONS.

AS YOU APPROACH YOUR SENIOR YEAR, IT IS QUITE LIKELY THAT YOU ARE READY, EVEN EAGER, TO UNDERTAKE A RIGOROUS, DEMANDING PIECE OF RESEARCH IN A CHOSEN FIELD. YOU MIGHT DO THIS BY INVESTIGATING A SIGNIFICANT TOPIC AND DEVELOPING A THESIS THAT DEMONSTRATES THE RESULTS AND IMPLICATIONS OF THIS RESEARCH. IN CERTAIN AREAS (SUCH AS CREATIVE WRITING, ART, OR MUSIC), YOU MAY WISH TO COMPOSE A GROUP OF SHORT STORIES, MOUNT AN EXHIBITION, PRODUCE AND DIRECT A VIDEO, OR PLAN A RECITAL AND PERFORM IN IT.

THIS GUIDE INTRODUCES AND EXPLAINS THE "RULES AND REGULATIONS" OF THE SENIOR THESIS/CREATIVE PROJECT AND ALSO INDICATES THE RANGE OF THESIS POSSIBILITIES OPEN TO YOU, BY GIVING EXAMPLES OF SOME OF THE THESES AND PROJECTS WHICH HAVE BEEN DONE IN RECENT YEARS. ALSO INCLUDED IS A LIST OF COMMON QUESTIONS AND ANSWERS. YOU WILL FIND A CHECKLIST AT THE END OF THE GUIDE TO HELP MONITOR YOUR PROGRESS AND EXPEDITE YOUR GRADUATION.

“My Honors thesis (*The Women of Beth-el: Jewish-American Women in Middletown*) was truly a capstone project based on four years of classroom and extracurricular experience. I completed substantive historical research while refining my video production skills learned through my on-campus job. I brought together my interests in women’s history and Jewish history to produce a video documentary and a collection of oral interviews. I was excited to bridge my various interests and skills to create a project that will have value for others in the classroom or in future research.”

Jennifer Reynolds, 1997

WHATEVER TYPE OF PROJECT YOU UNDERTAKE, BEAR IN MIND THAT THE SENIOR HONORS THESIS OR CREATIVE PROJECT FUNCTIONS AS THE CAPSTONE OF AN HONORS EDUCATION, REPRESENTING FINAL PROOF OF WORTHINESS TO BE A BALL STATE UNIVERSITY HONORS COLLEGE GRADUATE.

ON THE COVER:
MITCH STARK, THE JAMES DEAN FANTASY
JANE EAGLEY, LIFE ON THE ROAD: FOUR TRUCKERS’ STORIES

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YOU ARE RESPONSIBLE FOR READING THIS INFORMATION AND FOR FULFILLING THE REQUIREMENTS SET FORTH. THEREFORE, BE SURE TO KEEP THE GUIDE FOR FREQUENT FUTURE REFERENCE.

ROLE OF THE HONORS COLLEGE

THE HONORS COLLEGE IMPOSES RELATIVELY FEW FORMAL RESTRICTIONS ON THE SENIOR THESIS/CREATIVE PROJECT. WE DO, HOWEVER, REQUIRE YOU TO MAKE AN APPOINTMENT WITH THE DEAN OR THE ASSISTANT DEAN IN ORDER TO DISCUSS THE PROPOSED THESIS OR PROJECT AND TO LET US KNOW WHO YOUR ADVISOR WILL BE. IT IS NECESSARY FOR YOU TO GET HONORS COLLEGE APPROVAL OF YOUR TOPIC AND PLANS FOR DEVELOPMENT OF THAT TOPIC. WE WILL EXPECT THE THESIS OR CREATIVE PROJECT TO DEVELOP ALONG THE LINES SET FORTH IN THE CONFERENCE; IF YOU AND YOUR ADVISOR DECIDE THAT A DIFFERENT TOPIC OR PLAN NEEDS TO BE ADOPTED, IT IS YOUR RESPONSIBILITY TO KEEP US INFORMED.

REQUIREMENTS

1. A researched project should adhere consistently and correctly to a documentation style appropriate for the field of study--following, for example, such style manuals as those of the MLA, APA, or the University of Chicago. You **MUST** include a bibliography or a works cited page for any type of researched project--not just a traditional researched paper but also such projects as a unit of lesson plans, handbook, publicity campaign, feasibility study, or any other project which incorporates material drawn from outside sources.

2. If you undertake a creative project which is not a paper, such as a recital, an art exhibit, or a video, you must submit to the Honors College a written rationale for the project, to be agreed upon during your appointment with the dean or assistant dean.

Please note that the written component of such projects should include analysis and explanation of the academic reasons for the decisions you made as you developed your project. For instance, if you painted four portraits inspired by the research you conducted, explain why you chose to create four rather than three or five, and why these particular four were the ones you decided to depict.

If your project was a musical recital, explain why particular pieces were chosen for performance, describing how they represented your areas of study and your development as a performer.

You should plan also to include a bibliography of the sources that provided inspiration and context for your project.

3. Keep in mind that creative projects, like senior theses, ought to represent your best achievement in Honors work. Therefore, you should work in areas in which you have experience. If you are planning to write a collection of short stories, for instance, you have presumably done prior work in the area of creative writing. If you plan to make a video, you should possess the necessary technical expertise.

4. The completed thesis or written component of the creative project, *after it has been approved and signed by your advisor*, should be submitted to the Honors College in a black pressboard binder. The front of the binder should be labeled with the title of the thesis/creative project and your name.

5. The submitted thesis/creative project should include a cover page, abstract, and acknowledgments. If you have slides, disks, tapes, and/or CDs with your project, be sure to place them in a pocket inside the binder.

6. The copy of the thesis/creative project submitted to the Honors College should be an UNMARKED original or professional copy and should be free of errors in grammar, spelling, and punctuation. YOUR ADVISOR OR THE HONORS COLLEGE MAY ASK YOU TO RETYPE PAGES WHICH NEED CORRECTION. PROJECTS WHICH ARE HANDWRITTEN RATHER THAN TYPED WILL NOT BE ACCEPTED UNLESS THE STUDENT HAS RECEIVED PERMISSION IN ADVANCE.

You should keep in mind that all theses/creative projects (the written text, at least, of creative projects) will be sent to the Special Collections area in Bracken Library, where they are kept on file for future honors students and others to read. Videos and tapes of recitals are also housed in Special Collections. We understand, however, that it will not always be possible to submit the non-written part of some projects.

Students and advisors who want to look at theses/creative projects that have been done in the past can find them filed in Special Collections under three headings--subject, student's name, advisor.

THE HONORS COLLEGE RESERVES THE RIGHT TO REQUEST REVISIONS FROM A STUDENT WHOSE THESIS/CREATIVE PROJECT DOES NOT FULFILL THE ABOVE REQUIREMENTS OR TO WITHHOLD THE HONORS COLLEGE DIPLOMA IF THE THESIS DOES NOT REPRESENT THE CAPSTONE OF HONORS EXPERIENCE.

FREQUENTLY ASKED QUESTIONS

WHEN SHOULD I SIGN UP FOR 499?

Most students sign up for 499 at the beginning of their senior year. If, however, your senior year will include an off-campus internship, student teaching, or some other activity which will alter your normal routine, you will want to begin planning earlier—getting a topic in mind, finding an advisor, discussing your intentions with the Honors College. Even if you plan a 'normal' senior year, starting early can be to your advantage. Recent graduates have repeatedly stressed the importance of allowing plenty of time. Several said they found it helpful to begin work the summer before their senior year, or even during spring semester of their junior year.

HOW DO I FIND A TOPIC?

When you look at the examples of recent theses/creative projects given at the end of this guide, you will see that many possibilities exist. Topics/projects often come from within the student's major areas, but this is not a requirement. In some theses or projects, students combine majors or use internships or study abroad experiences. If you finished a favorite course feeling that you would have liked more time for a particular aspect of that course, you may be able to turn that feeling into an idea for a topic. If you have only a vague sense of what your topic might be but definitely know whom you would like as an advisor, make an appointment to talk to your prospective advisor, who may be able to suggest areas for you to consider.

IS IT "LEGAL" TO REWORK AN OLD PAPER OR PROJECT?

A thesis which builds on work already done can be a fine piece of work. An article or presentation that analyzes internship experiences, a presentation based on some aspect of work or study abroad, an article developed from research done as an undergraduate fellow, a video for classroom use which grew out of practice teaching—these kinds of projects represent legitimate development of work already undertaken into a new and more complex form. *What is not legitimate is simply to recycle, with minor additions or changes, a paper or papers already completed.* A student who proposes to add a different introduction or a longer conclusion or a few more examples or illustrations to an already existing paper is certainly not proposing anything that could be called the capstone of an Honors education.

HOW DO I FIND AN ADVISOR?

If possible, select someone you know with whom you feel comfortable. If you can't think of someone in that category whose expertise seems to fit with the kind of topic you're considering, ask for suggestions from the Honors College or from other professors whose judgment you trust.

WHAT IF I WANT TO CHANGE ADVISORS?

Remember that once you have signed up for 499 and informed the Honors College of who your advisor will be, that is the person to whom your grade sheet will be sent. Therefore if you change advisors, you *must* bring us written statements from the original advisor saying he or she agrees to the change and from the new advisor saying that he or she will direct your project. *If such a change is necessary, it must be completed by the midpoint of the semester in which you are enrolled, so that the grade sheet will be sent to the correct person.*

MAY I WORK WITH MORE THAN ONE ADVISOR?

Yes! Particularly when your topic encompasses several areas, you may want more than one person evaluating your work in progress and offering suggestions. You must, however, designate only one professor to be responsible for turning in your grade; be sure to let the Honors College know who this will be.

MAY I COLLABORATE WITH ANOTHER STUDENT?

Certainly. Several recent theses have been joint projects. See the sample projects listed at the end of the guide for examples. You will need, however, to get permission from the dean or assistant dean and to let the Honors College know whether you both will be advised by the same professor. When you turn in your proposal (see p. 11), be sure that it spells out your role in the project and in its design, as well as the names of those with whom you are collaborating.

WHAT IF I DON'T FINISH IN ONE SEMESTER?

If you don't complete your thesis during the semester in which you are enrolled in Honrs 499, your advisor may submit a grade of I. This will be carried on the record until the thesis is completed and the I replaced with a permanent letter grade. You should know that it is fairly common for students to take more than one semester to work on their projects. However, the grade of I *must* be removed within one calendar year from the date it is awarded, and before the grading period of the semester in which the student plans to graduate. If the I is not removed within the specified time period, a grade of F will be recorded. Your advisor will need to turn in the grade-change form in order to replace the I.

WILL HONRS 499 COUNT TOWARDS MY MAJOR OR MINOR?

Often, credit for 499 may apply towards fulfilling requirements for the major, minor, or for elective departmental credit. You should not *assume* that such credit will be given, however. Be sure to get the approval of the chairman of the department involved.

WHAT IF A THESIS OR CREATIVE PROJECT IS REQUIRED IN MY MAJOR?

Departmental requirements within a student's major area may sometimes call for a thesis or creative project comparable to what the Honors College expects of its students. For example, in the College of Architecture and Planning, it is understood that the thesis project undertaken in the last year of the program will fulfill the 499 requirement for those who are Honors students. These students do not sign up for Honrs 499, but for the thesis course within their department—ARCH 404, LA 404, or PLAN 406.

Occasionally, students in other programs find themselves needing to sign up for a course with the prefix of the major department. This situation sometimes occurs, for example, with art majors who are doing a senior exhibit or with music majors planning a senior recital. *If you find yourself in this situation, schedule an appointment with the dean or assistant dean* in order to discuss the nature or scope of your project, to clarify what you will submit to the Honors College, and to make sure that the substitution has been approved and recorded. Also, notify the office secretary of the course number and the name of your advisor if you are to get credit for having completed 499.

WHAT IF I AM IN DEPARTMENTAL HONORS?

Students working on Departmental Honors within a major area are usually asked by the department to do a senior thesis. Honors College students *do not* need to do two theses; HONRS 499 counts for both Departmental Honors and the Honors College senior thesis.

HOW OFTEN WILL I MEET WITH MY ADVISOR?

Although the number of meetings will vary depending on the nature of your project, you and your advisor should work out a mutually satisfactory schedule of appointments at which you can discuss your work in progress. Keep in mind that you should submit your completed thesis to your advisor at least two to three weeks before finals week of the semester in which you are to receive your grade.

Remember, too, that directing Honors theses is not part of your professor's regular teaching assignment but is extra work which he or she undertakes as a favor to you. Therefore, try to be considerate about sticking to your agreed schedule, consulting him or her if you need to make changes.

SAMPLE COVER PAGE

Dorothy L. Sayers and the Woman Question

An Honors Thesis (HONRS 499)

by

Elizabeth A. Sander

**Thesis Advisor
(Name Typed)**

(Advisor's Signature)

**Ball State University
Muncie, Indiana**

Date (month and year)

Expected date of graduation

MODEL OF ABSTRACT AND ACKNOWLEDGMENTS

THIS SAMPLE ABSTRACT WHICH FOLLOWS COMES FROM SAMANTHA HUNSICKER'S THESIS, "FLY AWAY HOME: TRACING THE FLYING AFRICAN FOLKTALE FROM ORAL LITERATURE TO VERSE AND PROSE." IN GENERAL, ABSTRACTS, LESS THAN ONE PAGE IN LENGTH, SHOULD FOLLOW THIS MODEL IN GIVING THE OVERALL PURPOSE AND MAIN COMPONENTS OF THE THESIS OR CREATIVE PROJECT.

Abstract

This examination of the Flying African myth is divided into three areas of exploration. In Chapter I the creation of folklore, especially within the African-American community, is investigated alongside of several versions of the Flying African folktale recorded during 1939 and 1940 off the coast of Georgia. The second chapter addresses the influence of specific elements of the Flying African folktale on the Black Aesthetic and African-American poetry of the nineteenth and twentieth centuries, including the transformation of the myth into verse form. Chapter III deals solely with Toni Morrison's fictional novel *Song of Solomon*, explaining how the novel functions as a return to oral literature via the transformation of the Flying African myth in written form. The three chapters work together to establish the significant literary influence of the Flying African folktale outside of the sphere of scientific study of African-American folklore.

IN THE ACKNOWLEDGMENTS, YOU SHOULD THANK YOUR ADVISOR AND OTHERS WHO HELPED YOU WITH YOUR THESIS. THE FOLLOWING ACKNOWLEDGMENT COMES FROM BRENT LAUDER'S THESIS, "A BRIEF INTRODUCTION TO THE PROBLEM OF EVIL AND THE FREE WILL DEFENSE."

Acknowledgments

Many thanks are due to Dr. Stephen Ashby, my thesis advisor, for his role in this rigorous process. He challenged me to undertake this topic in the first place, offered valuable and sometimes devastating comments on the final drafts of this thesis, and provided superior editorial advice in the final stages. Thank you Dr. Ashby for your willingness to give selflessly for the sake of truth.

EXAMPLES OF RECENT THESES AND CREATIVE PROJECTS

AMBER L. WILLIAMS. ANXIOUSLY WATCHING AND WAITING. THESIS ADVISOR: NINA B. MARSHALL

Amber uses paintings that she has created in order to examine herself and the changes that have happened to her and the people she cares about. Her display, which includes seven paintings, was shown in the University Theater gallery.

EMILY A. OSGOOD. POPULAR CULTURE VERSUS THE CRIMINAL JUSTICE SYSTEM. THESIS ADVISOR: ANGELA NICKOLI

Because of the growing concern about television adversely affecting children, Emily chose to look further into this problem. Her thesis looks at psychological and sociological research about this topic and also examines actual crimes in order to determine whether violence in the media had an effect on the commission of that crime.

KELLY J. SHAFFER. ON MY HONOR: ACADEMIC DISHONESTY AND HONOR CODES. THESIS ADVISOR: ARNO WITTIG.

Cheating is a growing epidemic on college campuses around the world, especially with the popularity of the Internet today. Kelly defines cheating, examines its prevalence, consequences, and some prevention techniques. In addition, she explores the Internet's impact upon the ease of cheating. She also addresses the use of honor codes as a possible deterrent for academic dishonesty.

THESIS EXAMPLES CONTINUED

TARA RASMUSSEN. LITERARY ART. THESIS ADVISOR: NINA B. MARSHALL

As an art education major, Tara has an interest in integrating other disciplines into a visual arts curriculum. In order to achieve this, she read *The Pilgrim's Progress* and *The Brothers Karamazov* and then painted four important scenes from the book.

ANNA J. LONG. A BETTER WAY: WOMEN BREAKING THE CYCLE OF DOMESTIC VIOLENCE. THESIS ADVISOR: KIMBERLY GORMAN

Anna uses her experience as a volunteer intern at A Better Way to gain insight into the lives of the victims of domestic violence. She not only writes about her experiences, but she also includes an analysis of the research that has been conducted about partner abuse.

NICOLE L. BIXLER. SHOUT. THESIS ADVISOR: LEE PAPA

Nicole was a member of the Transformations class that did extensive research about race relations and the fighting that occurred at Southside High School in 1967 and 1968. Her project is a story that is based on the knowledge she acquired while researching this topic.

KARA HEATH. AN EXPLORATION OF ANCIENT EGYPT. THESIS ADVISOR: CHRISTINE SATORY

For her project, Kara developed a CD about depictions of women in Egyptian art. She chose to develop a CD because she wanted the experience of working in this growing area of design and information presentation.

JESSICA A. SCHILLING. THE SUM OF IT ALL. THESIS ADVISOR: NANCY KITT

The Sum of it All is a monthly mathematics newsletter that Jessica wrote and then distributed to two school corporations. She included copies of the newsletter, statistics about the school corporations receiving the newsletter, and evaluations from teachers.

ERIN E. MCMULLEN. THE SEMESTER I LED A DOUBLE (READING) LIFE: MY EXPERIENCE WITH CREATING AND TEACHING AN HONORS COLLEGE COLLOQUIUM. THESIS ADVISOR: BARB STEDMAN

Erin researched and taught an Honors Colloquium for her thesis project. She included a class syllabus, student evaluations of her class, sample writing excerpts from students, and an essay about her experiences as a teacher.

ELIZABETH JENKINS. (RE)ORIENTATION KIT: A COLLECTION OF THE PIECES OF MY BRAIN. THESIS ADVISOR: JAMES RUEBEL

Taking important things she has learned during her college years, Betsy tried to convey these messages using forms of communication that influence one on a daily basis. The methods she used include love notes (lessons about love), a stained glass window (lessons about religion), and a poem and painting (lessons about beauty).

JULIE K. BOUCHER. BECOMING A PHOTOGRAPHER: THE STUDY OF THE PHOTOGRAPHY STYLE OF ANSEL ADAMS.

THESIS ADVISOR: TONY GOTHARD

Julie studied Ansel Adams' photography style and the methods that he used to develop his film and then tried to reproduce it. This not only helped her to learn about the technical side of photography but developed her artistic ability as well. She included 15 black and white photographs and an essay detailing the procedures Adams used to photograph nature.

WILLIAM W. RIGGS. THE INTEGRATION OF CONTEMPORARY WORSHIP HYMNS INTO THE CHURCH: AN ANALYSIS OF CONTEMPORARY WORSHIP MUSIC STYLES AND THEIR HISTORICAL DEVELOPMENT. THESIS ADVISOR: DOUGLAS D. AMMAN

Billy attended approximately 15 different churches to observe worship styles. After observing, he composed and recorded 10 new worship songs. Billy's completed project includes a CD with his songs, his observations of the churches, and an essay detailing the history of worship music.

A RECOMMENDATION FROM THE HONORS COLLEGE:

We strongly urge all thesis students and their mentors to arrange for some kind of presentation of their work. Although creative projects such as recitals or art exhibits often have a "built-in presentation," others often do not. Yet many within the university and the larger community would profit from learning about students' thesis work. Therefore, we suggest the following possible venues for presentations:

1. VISITS TO HONORS CLASSROOMS TO DISCUSS ONGOING WORK OR COMPLETED PROJECTS.
Such visits would give freshman or sophomore honors students chances to start learning what senior projects may involve.
2. AFTERNOON OR EVENING PRESENTATIONS IN THE HONORS COLLEGE GATHERING AREA.
To schedule, phone the Honors College at 5-1024.
3. PRESENTATIONS INTENDED FOR AN AUDIENCE FROM THE COMMUNITY.
Dr. Joseph Trimmer, Director of the Virginia B. Ball Center for Creative Inquiry at Kitzelman Conference Center, has indicated interest in helping to arrange such events. For more information, phone Dr. Edmonds at 5-1775.

THESIS EXAMPLES CONTINUED

JANE EAGLEY. LIFE ON THE ROAD: FOUR TRUCKERS' STORIES. THESIS ADVISOR: JEAN HARPER

Growing up, Jane dreamed of driving a semi for a living. As she became older, she outgrew this dream, but the trucking industry still intrigued her. For her thesis, Jane researched the trucking industry and interviewed four truckers. She discovered that trucking is a lot harder than she ever thought it would be.

MARC MUSTERIC. JAPANESE WITH MARUCHAN. THESIS ADVISORS: DENNIS HOILMAN, MARTHA KENDRICK AND SADOTOSHI TOMIZAWA

Marc combines his Japanese language skills and his study abroad experience to create an interactive textbook that teaches children Japanese in a nonthreatening way-- through pictures and a story. The main characters are two American children who travel around Japan with two Japanese children and learn the language from Maruchan, their stuffed animal who comes to life.

AMY M. DOYLE. DIAMONDS ARE A GIRL'S BEST FRIEND: AN ORAL HISTORY OF WOMEN'S SOFTBALL IN AMERICA. THESIS ADVISOR: RICHARD AQUILA

Amy's experience as a successful NCAA Division I softball player coupled with her love of history inspired her to write an oral history of women's softball in the United States for her thesis. She interviewed 15 of the most influential women in the sport, including legendary Dorothy Harrell Doyle, who played in the All-American Girls Baseball League from 1944 to 1950 and 1952.

KRISTA M. SELKING. A CROSS-COUNTRY EXAMINATION OF OUTPUT GROWTH AND INFLATION. THESIS ADVISOR: GARY SANTONI

The Phillips Curve has been the cornerstone of U.S. economic policy for many years. Krista's thesis tests the relationship between growth in output and inflation to determine whether the observed relationship in the curve is sensitive to the level of development of the country, thus proving the curve to be an unreliable policy or forecasting tool.

LAUREN M. BRADY. AN ANALYSIS OF THE INFLUENCE OF EXPERIENCE AS A JOURNALIST ON THE POETRY OF WALT WHITMAN. THESIS ADVISOR: E. BRUCE KIRKHAM

Lauren's thesis examines Walt Whitman's work as a journalist and how those experiences were reflected in his poetry. She explores the history of Whitman's journalism career and the history of the penny press, while looking at his key journalistic practices reflected in *Leaves of Grass*.

NATHANIEL SAYLOR. SENIOR PERCUSSION RECITAL. THESIS ADVISOR: ERWIN MUELLER

Since Nathaniel is a music performance major, it is only natural that his senior project be a performance. His recital included five musical pieces. In addition to the performance, he submitted to the Honors College an artist's statement and a CD recording of his recital.

INFORMATION FOR ADVISORS

EXCEPT FOR THE REQUIREMENTS GIVEN IN THE 'ROLE OF THE HONORS COLLEGE,' THE HONORS COLLEGE EXPECTS THAT YOU AND THE STUDENTS WHOM YOU ARE DIRECTING WILL TOGETHER MAKE DECISIONS REGARDING THE SCOPE OF THE PROJECT, MEETING TO DISCUSS WORK IN PROGRESS, FORMAT, DOCUMENTATION, AND SO ON. HOWEVER, WE DO OFFER THE FOLLOWING ADVICE, COMPILED FROM THE COMMENTS OF RECENT ADVISORS OF HONRS 499:

1. As you talk with your student about the scope of his or her project, you may want to chart a course which is a via media between the conventional research paper and the M.A. thesis. Although the senior honors thesis probably will not be as extensive a project as a Master's level thesis, it should represent more expense of time and talent than an ordinary term paper. *Remember that your student will receive three hours of credit for the work he or she does on this senior honors project.*
2. Early on, get a clear indication from your student of just what he or she proposes. A proposal, written by the student and approved by you, must be submitted to Honors College. (See attached form).
3. When meeting to discuss work in progress, make clear that you also want to see work that has been done- drafts of written texts, collected data, results of surveys, preliminary sketches, photographs, or whatever relevant material you need to examine order to make sure the project is on track. Doing so will help to protect you and your student from the unpleasant discovery, near the end of the term, that the work which has been done is unacceptable.
4. For a researched paper, specify the documentation style you require and be prepared to offer examples of correct form. Remind the student that a bibliography, references list, or works cited page must accompany a researched paper.
5. As you check work in progress, evaluate both content and form, and don't hesitate to ask for revisions in either area. It is a good idea to let your student know that both you and the Honors College expect completed papers to be free of errors in grammar, spelling, and punctuation.
6. You may want to remind the student whom you are advising that he or she will be responsible for making three copies of the completed thesis or creative project. The copy which has your comments and the grade you have assigned will be for the student to keep. The Honors College wants to receive an unmarked copy, from which any errors in grammar, spelling, and punctuation have been eliminated. The third copy is for you.
7. As thesis/creative project advisor, you are free to assign whatever grade you consider appropriate. Keep in mind, however, that theses and projects are stored in Special Collections of Bracken Library. Understandably, you may be reluctant to sign a thesis which represents merely passing work.. This is another reason for the importance of regular meetings with your student and careful checking of work in progress. Using this approach, you should be able, early on, to 'redirect' a thesis or project which has taken a wrong turn and save yourself and your student from end-of-term difficulties.
8. If you have turned in an 'I' for a student who does not complete his or her thesis within one semester, remember that you will need, when the student does complete the work, to turn in a grade-change form. (The grade of I *must* be removed within one calendar year from the date it is awarded, and before the grading period of the semester in which the student plans to graduate.)

THESIS CHECKLIST

MAKE SURE ALL BOXES ARE CHECKED OFF BEFORE TURNING IN YOUR THESIS.

- ☐ TOPIC APPROVED (HONORS COLLEGE OFFICE 285-1024)
- ☐ WORK CORRECTLY DOCUMENTED
- ☐ ABSTRACT AND ACKNOWLEDGEMENTS IN PLACE
- ☐ COVER PAGE SIGNED BY ADVISOR
- ☐ PROJECT PROOFREAD AND SPELLCHECKED
- ☐ BINDER CORRECTLY LABELED
- ☐ SLIDES, TAPES, DISKS, OR CDs PLACED IN A POCKET
- ☐ THREE COPIES PREPARED (ONE FOR STUDENT, HONORS COLLEGE AND
ADVISOR - SEE PAGE 11.)

*Honors
Thesis
guide*

WRITTEN BY JOANNE EDMONDS
REVISED BY RACHEL POPMA, BLYTHE ROGERS, AND KATIE MILLER
DESIGNED BY BLYTHE ROGERS AND REBECCA CRANE

HONORS COLLEGE PROJECT PROPOSAL

As a member of the Honors College, you are required to complete an Honors project. This project permits you to build on your experiences throughout your college career and develop a unique product (paper or creative work). The project qualifies for three credits of Honors 499, and is graded. In addition to presenting your work, successful completion requires an abstract for the Honors College. See the *Guide for the Senior Honors Thesis* available from the Honors College.

The first step in undertaking an Honors project is to identify a topic and a BSU faculty member, who will serve as your project adviser. *If you need help developing your proposal, finding a topic, or identifying a project adviser*, you are welcome to discuss possibilities with Dean James Ruebel or Assistant Dean Joanne Edmonds before submitting the proposal. When your proposal is ready for approval, sign up for an interview with Dean Ruebel or Edmonds in 104 Carmichael and bring this signed, completed form with you. Make appointments by calling the Honors College at 5-1024.

Please provide the following information:

Name Matt Crouse ID # 304-02-9506 E-mail cmcrowe@bsu.edu
Address 4 Swinford Hall RA Phone 214-5206
Major(s) Political Science Graduation date 5/2002 (e.g. Spring '02)
Academic Advisor Adrienne Jones Project Advisor Don Caristi
Title of Honors Project Following O'Connor and the Chief: The Case for Zoning "sexually explicit material" on the Internet via Green Light Areas in Second Tier Domains
Please type or print all information requested. Write clearly and concisely. Explain all abbreviations and technical terminology. Check your spelling! (You may do this on a separate form if you wish, and you may combine answers to the questions below.)

1. The Honors project should broaden your educational experience through independent work that adds to your knowledge and develops your talents. How will your project help you accomplish these objectives and add to your personal goals? Why, in short, do you want to do this particular project?

See attached sheet

2. When are you signing up for HONRS 499 (or what is the proposed equivalent?)

see attachment

3. What will be the outcome of this project? (Be specific--e.g., a paper, finished piece of research, creative activity...)

see attachment

4. Objective or Thesis (include target audience, purpose):

See attachment

5. Project Description (please be specific--approximately two paragraphs):

See attachment

6. State what the importance or implications of this project is (or are). I.e., what do you expect to learn, or what would others learn from knowing about your anticipated results?

See attachment



Student's Signature

4/20/02

Date

Project Advisor's Signature *

Date

*Your signature indicates that you have read and approved this proposal.

HONORS COLLEGE PROJECT PROPOSAL (attachment #1)

1. ***The honors project should broaden your educational experience through independent work that adds to your knowledge and develops your talent. How will your project help you accomplish these objectives and add to your personal goals? Why, in short, do you want to do this particular project?***

For my honors thesis, I have chosen to participate in the Virginia B. Ball Center for Creative Inquiry in the seminar entitled, "Freedom of Expression in the 21st Century." As a part of the project I will have a chance to direct my own 6-7 expert panel discussion that will later be aired on the local Indiana public television station, WIPB.

In addition to the student-produced panel and the early semester reading and group discussion on First Amendment principles, I am required to produce an article of scholarly caliber for journal publication in the field of my choice. I have chosen to research the topic of Internet zoning and its First Amendment implications.

I am interested in constitutional law as a topic area. I have taken both Ball State University political science courses on constitutional law and liberties. Based on my knowledge of those classes and my expanded interest in the "Freedom of Expression in the 21st Century" seminar, I would like to apply my education to research on how to effectively zone "sexually explicit material" on the Internet. Timely, interesting, and challenging, the question I am interested in answering is "Can content-based Internet regulation pass constitutional strict scrutiny by the US Supreme Court."

2. ***When are you signing up for HONRS 499?***

I signed up for HONRS 499 in the fall for the Spring 2002 semester. With prior approval from Dr. Joanne Edmonds, I proposed that I would receive credit for my participation and completion of the Virginia B. Ball Center seminar for which I was enrolled.

3. *What will be the outcome of this project?*

The outcome for submission of the HONRS 499 requirement will be the scholarly journal article that I am submitting the *Indiana Political Science Association Journal*.

My article entitled, *Following O'Connor and the Chief: The Case for Zoning "Sexually Explicit Material" on the Internet via Green Light Areas in Second Tier Domains*, examines the issue of sexually explicit material on the Internet in terms of freedom of expression. As a solution to the problem, I present the different alternatives to the currently constitutionally challenged Child Online Protection Act of 1998 (COPA). In summary, I advocate for constitutional regulations of sexually explicit material through second tier Internet domains. Basically, I call for child-friendly Internet domains that will cater to minors below the age of 16 years of age.

I am also including the folder advertisement of my paper topic presentation at the annual Indiana Political Science Association conference that was held this past April at Ball State University. I was invited to participate through Dr. Ralph Baker and IPSA President, Dr. Daniel Reagan.

4. *Objective or Thesis:*

My overall objective was to provide an answer to the question of whether or not the Internet could be zoned. For the purposes of a paper, and not a book or volume of books, I narrowed the topic to the question of whether or not Congress could constitutionally zone sexually explicit material from the Internet. I answered the question in the affirmative and provide the constitutional framework given the other unconstitutional solutions presented for the problem.

My immediate target audience, since I chose the Indiana Political Science Association journal, was Indiana political scientist and civil libertarians who would be interested in the significance of Internet zoning in the wake of the court case *Ashcroft v. ACLU*. A secondary, more direct, audience is congressional lawmakers who have consistently posed Internet regulations that fail to meet the strict scrutiny test of the US Supreme Court. Why pass legislation and enact laws that will simply be struck down unconstitutionally, when there is solution to the overall problem that will pass constitutional muster? The answer is simple and I advocate for wider version of current legislation before the United States House of Representatives.

5. *Project Description*

Matt chose to research Internet zoning and its First Amendment implications when banning sexually explicit material for minors. The overall objective was to provide an Internet zoning regulation that would both protect minors and protect the freedom of expression clause of the First Amendment for adults.

This thesis project examines current American attitudes and opinions on the Internet in relation to the US Supreme Court. It defines the questions posed by Internet regulation and whether or not zoning is feasible. Finally, after reviewing the solutions proposed by the COPA Commission and other noted experts, it advocates for the creation of a child-friendly, second tier Internet domain that will be protected from content deemed “harmful to minors” by the famous US Supreme Court, *Ginsberg* standard.

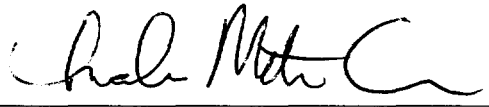
The project was completed as a part of overall seminar, “Freedom of Expression in the 21st Century,” in which 13 interdisciplinary students examined the current state of the First Amendment in the United States. After reviewing constitutional readings, visiting Washington D.C. (in which Matt visited the US Supreme Court in session), and producing four expert panels on various First Amendment topics, each class member created a scholarly work to be submitted for review of publication by the journal of their choice. Matt’s particular paper will be submitted to the Indiana Political Science Association journal.

6. *State what the importance or implications of this project is/ are. I.e., what do you expect to learn, or what would others learn from knowing about your anticipated results?*

The research on Internet regulation and its implications on the First Amendment are entirely timely. Currently several state legislatures, the US Congress, the US Supreme Court, and several lower courts are wrestling with the constitutionality of cyberspace zoning and regulation. In the wake of the issue, my paper advocates a workable and expandable solution that takes adult rights out of the equation, while protecting minors under the age of 16 from sexually explicit materials. My hope is that Congress will head my call to action and at least investigate the possibility that I pose. Currently Congress is evaluating a lesser version of my proposal in the United States House.

I have learned a great deal about the US Supreme Court and constitutional law and precedent. I have also gained a tremendous amount of respect for lawmakers who must carefully craft federal law to meet the guidelines of the US Constitution. The issue of sexually explicit material on the Internet and keeping it away from minors is a difficult question. I have spent a great deal of time learning about the process of why and how law is challenged.

I hereby certify this is my HONRS 499 Thesis Project.



Student Signature

4-20-2002



Faculty Advisor*

4/29/02
date

Faculty Advisor

date

* Your signature indicates that you have read and approved this proposal.

Appendix B

Notification of Presentation of Thesis/Creative Project at the Indiana Political Science Association Conference

I have enclosed a piece of publicity from the conference that includes my participation as a paper presenter in the session entitled, "Developments In Constitutional and Judicial Politics."

**2002 ANNUAL MEETING OF THE
INDIANA POLITICAL SCIENCE ASSOCIATION**

Ball State University Student Center

Friday, April 12, 2002

9:00 – 10:00

Registration, Forum Room

MORNING PANELS (10:00 – 11:30)

PANEL A **Room 303**

Title	The Media and Politics: A Journalist's Perspective
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Participants: Mary Dieter, *Press Secretary, Governor O'Bannon*
 Kevin Finch, *Producer, Indianapolis Television Channel 13*
 John Ketzenberger, *Indianapolis Business Journal, Indiana Week*
In Review
 Fran Quigley, *NUVO, An Indianapolis Weekly Newsmagazine*

PANEL B Room 302

Title **European Politics After September 11th**

Participants: Gene Frankland, *Ball State University, "Germany"*
 Stephen Hoffmann, *Taylor University, "Russia"*
 Neovi Karakatsanis, *IU –South Bend, "Greece"*
 Erdogan Kumcu, *Ball State University, "Turkey"*
 John McCormick, *IUPUI, "Britain"*

PANEL C **Room 301**

Title **Political Redistricting in Indiana**

Participants: Maureen Bard, *Indiana Legislative Services Agency*
John Cranor, *Ball State University*
Ed Feigenbaum, *Publisher, Indiana Legislative Insight*
Mark Stratton, *Indiana Legislative Services Agency*

PANEL D **Room 308A**

Title **Terrorism & Political Violence: An International Perspective**

Participants: Scott Brown, *Indiana University Southeast, "Nigeria"*
Henry Lyon, *University of Louisville, "United States & Israel"*
Yohanes Sulaiman, *Ohio State University, "Indonesia"*
Robert White, *IUPUI, "Ireland"*

11:45 – 12:30

Lunch. Forum Room

Welcome: Beverley Pitts, BSU Provost Designate

12:45 – 1:30

IPSA KEYNOTE ADDRESS Forum Room

The Honorable Andrew Jacobs

AFTERNOON PANELS (1:45 – 3:15)

PANEL E

Room 303

Title

Political Terrorism: A Policy Perspective

Participants:

Stan Buchanan, *Indiana State University*
John Clark, *Senior Research Fellow, Hudson Institute*
Clifford Ong, *Indiana Coordinator for Terrorism Prevention*
Steve Robertson, *Director, Indianapolis Dept of Public Safety*
Emergency Management Division

PANEL F

Room 302

Title

Images of Political Violence: Terrorism & Attitudinal Change

Participants:

Katja Michalak, *Ohio State University*
Pramod Mishra, *University of Delhi, India*
Manindra Mohapatra, *Indiana State University*

PANEL G

Room 301

Title

Public Administration and Political Gerontology

Participants:

Fodie Batty *Indiana State University*
Roger Hollands, *Ball State University*
Joseph Koroma, *Indiana State University*
Urmila Mohapatra, *Indiana State University*

PANEL H

Room 308A

Title

Developments In Constitutional and Judicial Politics

Participants

Ralph Baker, *Ball State University*
Matt Crouse, *Ball State University*
Fred Meyer, *Ball State University*
Melanie Morris, *Ball State University*
Sally Jo Vasicko, *Ball State University*